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Commissioner for Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450

By: RAQUEL WEST Date 12-06-05

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of : Sydon et al.  
Application No. : 09/754,905  
Filed : January 4, 2001  
Art Unit : 2665  
Examiner : Nguyen, Steven H D  
Title : Cordless Communication System Providing  
Optimum Spectral Usage For Wireless Networks

Commissioner of Patents  
P.O. Box 1450  
Alexandria, CA 22313-1450

**NOTICE OF APPEAL OF DECISION OF THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES UNDER 37 CFR 1.191**

Dear Sir:

In the Office Action mailed September 6, 2005, the Examiner has rejected claims 1-3, and 6-34. In response, Applicants request restatement of the appeal. An Supplemental Appellant's Brief will be filed in triplicate concurrently.

It is not believed that no new fees are due in connection with this paper (MPEP 1204.01), however the Assistant Commissioner is authorized to charge any fees or credit any overpayments to Deposit Account No. 19-2179.

PLEASE MAIL CORRESPONDENCE TO:

Siemens Corporation  
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Attn: Elsa Keller, Legal Administrator  
170 Wood Avenue South  
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Respectfully submitted,

Thomas George  
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Date: Dec. 6, 2005